

## 56TH REGULAR SESSION

Sec. 3. The Governor shall issue the necessary proclamation for the said election and have the same published as required by the Constitution and laws of this State.

Adopted by the House, February 24, 1959: Yeas 129, Nays 17; House concurred in Senate amendments, April 28, 1959: Yeas 110, Nays 29; passed, as amended, by the Senate, April 20, 1959: Yeas 23, Nays 7. Approved May 30, 1959.

### PROPOSED CONSTITUTIONAL AMENDMENT—CERTAIN HOSPITAL DISTRICTS—CREATION

H. J. R. No. 39

Proposing an amendment to Article IX of the Constitution of the State of Texas by adding thereto new Sections to be known as Sections 6, 7, and 8, to provide that the Legislature may authorize the creation of Hospital Districts co-extensive with Lamar County, Hidalgo County, and County Commissioners Precinct No. 4 of Comanche County, having certain stated powers and duties and subject to certain stated limitations; providing that any enabling Acts shall not be invalid because of their anticipatory character; providing for an election; prescribing the form of ballot and providing for the necessary proclamation and publication.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. That Article IX of the Constitution of the State of Texas be, and the same is hereby, amended by adding the following Sections which shall read as follows:

"Sec. 6. The Legislature may by law authorize the creation of a Hospital District co-extensive with Lamar County, having the powers and duties and with the limitations presently provided in Article IX, Section 5(a), of the Constitution of Texas, as it applies to Wichita County, except that the maximum rate of tax that the said Lamar County Hospital District may be authorized to levy shall be seventy-five cents (75¢) per One Hundred Dollar (\$100) valuation of taxable property within the District, subject to district taxation.

"Sec. 7. The Legislature may by law authorize the creation of a Hospital District co-extensive with Hidalgo County, having the powers and duties and with the limitations presently provided in Article IX, Section 5(a), of the Constitution of Texas, as it applies to Hidalgo County, except that the maximum rate of tax that the said Hidalgo County Hospital District may be authorized to levy shall be ten cents (10¢) per One Hundred Dollars (\$100) valuation of taxable property within the District subject to district taxation.

"Sec. 8. The Legislature may by law authorize the creation of a Hospital District to be co-extensive with the limits of County Commissioners Precinct No. 4 of Comanche County, Texas.

"If such District is created, it may be authorized to levy a tax not to exceed seventy-five cents (75¢) on the One Hundred Dollar (\$100) valuation of taxable property within the District; provided, however, no tax may be levied until approved by a majority vote of the participating resident qualified property taxpaying voters who have duly rendered their property for taxation. The maximum rate of tax may be changed at subsequent elections so long as obligations are not impaired, and not to exceed the maximum limit of seventy-five cents (75¢) per One Hundred Dollar (\$100) valuation, and no election shall be required by subsequent changes in the boundaries of the Commissioners Precinct No. 4 of Comanche County.

## RESOLUTIONS

"If such tax is authorized, no political subdivision or municipality within or having the same boundaries as the District may levy a tax for medical or hospital care for needy individuals, nor shall they maintain or erect hospital facilities, but the District shall by resolution assume all such responsibilities and shall assume all of the liabilities and obligations (including bonds and warrants) of such subdivisions or municipalities or both. The maximum tax rate submitted shall be sufficient to discharge such obligations, liabilities, and responsibilities, and to maintain and operate the hospital system, and the Legislature may authorize the District to issue tax bonds for the purpose of the purchase, construction, acquisition, repair or renovation of improvements and initially equipping the same, and such bonds shall be payable from said seventy-five cent (75¢) tax. The Legislature shall provide for transfer of title to properties to the District.

"(b) The Legislature may by law permit the County of Comanche to render financial aid to that District by paying a part of the expenses of operating and maintaining the system and paying a part of the debts of the District (whether assumed or created by the District) and may authorize the levy of a tax not to exceed ten cents (10¢) per One Hundred Dollar (\$100) valuation (in addition to other taxes permitted by this Constitution) upon all property within the County but without the County Commissioners Precinct No. 4 of Comanche County at the time such levy is made for such purposes. If such tax is authorized, the District shall by resolution assume the responsibilities, obligations, and liabilities of the County in the manner and to the extent hereinabove provided for political subdivisions having boundaries co-extensive with the District, and the County shall not thereafter levy taxes (other than herein provided) for hospital purposes nor for providing hospital care for needy individuals of the County.

"(c) Should the Legislature enact enabling laws in anticipation of the adoption of this amendment, such Acts shall not be invalid because of their anticipatory character."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at the general election to be held the first Tuesday after the first Monday in November, 1960, at which election all ballots shall have printed thereon:

"FOR the Constitutional Amendment authorizing the Legislature to create a Hospital District co-extensive with Lamar and Hidalgo Counties, and co-extensive with County Commissioners Precinct No. 4 of Comanche County."

"AGAINST the Constitutional Amendment authorizing the Legislature to create a Hospital District co-extensive with Lamar and Hidalgo Counties, and co-extensive with County Commissioners Precinct No. 4 of Comanche County."

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State.

Adopted by the House, April 30, 1959: Yeas 134, Nays 0; passed by the Senate, May 6, 1959: Yeas 31, Nays 0.

Approved May 30, 1959.

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